**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO.2399 OF 2006**

| OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS | COURT'S OR JUDGES ORDERS |
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Mrs G.P. Mulekar, A.G.P for the Appellant.
Shri Parag Shelke for the Respondents.

**CORAM : A. S. OKA, J.**
**DATE : JANUARY 11, 2007.**

**P.C.:**

. Not on board. Taken on board.

1. The Advocate for the Respondent has placed on record a copy of Judgment and Order dated 26th September, 2005 in First Appeal (St) No.16395 of 2002. Against the impugned Judgment and Award in this Appeal, the acquiring body preferred aforesaid Appeal and by the aforesaid Judgment, the impugned Judgment and Award has been set aside and an order of remand has been passed. In view of this position, this First Appeal does not survive.

2. Hence, order dated 10th January, 2007 admitting the Appeal is recalled and the Appeal is dismissed.

**JUDGE**